



CASE REPORT

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| 1. Complaint reference number | 464/06 |
| 2. Advertiser | Daikin Australia |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 12 December 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a baby boy crawling along a wooden floor. He stops to look at the air conditioning unit on the wall, and as his mother, holding a bottle of infant milk calls “Alex, where are you?” he giggles and hides behind a sofa. He crawls out when she has gone, and we then see him lying on the sofa propped with a pillow, and drinking milk from a bottle. His parents enter the room at the same time and the mother seeing Alex, says to her husband “Oh, you got him a bottle” to which her husband replies “No I just got myself a coffee. A male voiceover throughout relates Daikin’s features and concludes “Daikin has an intelligence all its own.”

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

This advertising implies that artificial infant formula and the use of follow on fomulas is normal. Whilst these products are socially the norm, they are not the biological norm. There is much research to indicate the use of such products has effects on obesity in the longer term, as well as other health risks to the population. It is indirect marketing of such products.

It also show an unsafe practice with the child lying down and feeding itself the bottle, which can easily cause choking and death. Such action can be seen and assumed by parents that the practice is safe.

THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

There is nothing in the advertisement to suggest that the bottle contains infant formula and at no time does the advertisement display or show any packaging or advertising for any infant formula. Further, the feeding of a child by way of a bottle is a common practice within Australian society. In addition, the advertisement does not either condone or reject the practice of bottle-feeding.

At all times throughout the filming the child was under strict supervision, primarily at all times during feeding. We do not agree that the child is depicted as lying down; rather the child is propped up on a pillow at an approximate 30 degree angle.

The advertisement is a fantasy situationj and implies that the Daikin air conditioner is looking after the child and mysteriously props up the child on the couch and provides the child with the bottle.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

In particular the Board considered whether the advertisement breached Section 2.6 of the Code dealing with standards of health and safety.

The Board viewed the advertisement and noted the baby feeding on a baby’s bottle. The Board considered the assertion that feeding artificial infant formula was against prevailing standards of community health and safety. The Board considered that it was not possible to deduce whether the baby was drinking infant formula or breast milk and that, regardless of the content of the bottle, the advertisement itself did not make any suggestion about appropriate food for babies. The Board considered that the advertisement did not contravene prevailing standards of community health and safety.

The Board also disagreed that the practice of the child lying down and feeding itself the bottle could "easily" cause choking and death.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.